

MAR 10 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
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TROY MATTHEW JACKSON,)	
Plaintiff,)	Civil Action No. 7:10cv00102
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
WINCHESTER POLICE DEPT.)	
INVESTIGATORS,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

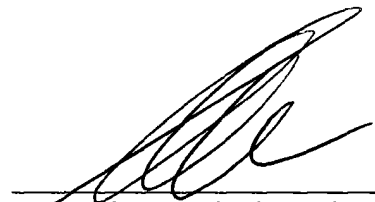
Plaintiff Troy Matthew Jackson, a Virginia inmate proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983. Jackson has also requested to proceed in forma pauperis.

According to court records, Jackson has filed at least three actions in a court of the United States that were dismissed on the grounds that they were frivolous.¹ Therefore, Jackson may not proceed with this action unless he either pays the \$350.00 filing fee or shows that he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

As Jackson has neither prepaid the filing fee nor demonstrated that he is “under imminent danger of serious physical injury,”² the court dismisses his complaint without prejudice.

The Clerk is directed to send a certified copy of this Memorandum Opinion and the accompanying Order to the plaintiff.

ENTER: This 9th day of March, 2010.



United States District Judge

¹ See Jackson v. Burgess, et al., Civil Action No. 2:03cv00514 (E.D. Va. July 28, 2003) (dismissed as frivolous); Jackson v. Sprid, Civil Action No. 7:02cv01235 (W.D. Va. Oct. 7, 2003) (dismissed as frivolous); Jackson v. CFW Adult Regional Detention Center, et al., Civil Action No. 7:03cv00160 (W.D. Va. Oct. 16, 2003) (dismissed as frivolous).

² Jackson alleges that when he was arrested in June 2009, the arresting officers did not read him his rights. The court finds that Jackson’s allegation fails to demonstrate that he is under imminent danger of serious physical harm.